

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PURDUE PHARMA PRODUCTS L.P., NAPP
PHARMACEUTICAL GROUP LTD., BIOVAIL
LABORATORIES INTERNATIONAL SRL, and
ORTHO-MCNEIL, INC.,

Plaintiffs,

v.

PAR PHARMACEUTICAL, INC. and PAR
PHARMACEUTICAL COMPANIES, INC.,

Defendants.

C.A. No. 07-255-JJF

**REDACTED
PUBLIC VERSION**

**DECLARATION OF JONATHAN R. WISE IN SUPPORT OF
DEFENDANTS' MOTION TO COMPEL PRODUCTION OF
CERTAIN DISCOVERY AND AMEND SCHEDULING ORDER**

Of Counsel:

Daniel G. Brown
Wilson Sonsini Goodrich & Rosati, PC
1301 Avenue of the Americas, 40th Floor
New York, NY 10019
212-999-5800

Ron E. Shulman
Wilson Sonsini Goodrich & Rosati, PC
650 Page Mill Road
Palo Alto, CA 94304

Nicole W. Stafford
Wilson Sonsini Goodrich & Rosati, PC
900 South Capital of Texas Highway
Las Cimas IV, Fifth Floor
Austin, TX 78746-5546

Dated: August 22, 2008

Frederick L. Cottrell, III (#2555)
Cottrell@rlf.com
Steven J. Fineman (#4025)
Fineman@rlf.com
Richards, Layton & Finger P.A.
One Rodney Square
P.O. Box 551
Wilmington, DE 19899
(302) 651-7700

*Attorneys for Defendants Par Pharmaceutical,
Inc. and Par Pharmaceutical Companies, Inc.*

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

-----	x	
PURDUE PHARMA PRODUCTS L.P.,	:	
NAPP PHARMACEUTICAL GROUP LTD.,	:	
BIOVAIL LABORATORIES INTERNATIONAL	:	
SRL, and ORTHO-MCNEIL, INC.,	:	Case No. 07-255-JJF
	:	(Consolidated)
Plaintiffs,	:	
	:	
v.	:	
	:	
PAR PHARMACEUTICAL, INC. and PAR	:	
PHARMACEUTICAL COMPANIES, INC.,	:	
	:	
Defendants.	:	
-----	x	

**DECLARATION OF JONATHAN R. WISE IN SUPPORT OF
DEFENDANTS' MOTION TO COMPEL PRODUCTION OF
CERTAIN DISCOVERY AND AMEND SCHEDULING ORDER**

I, Jonathan R. Wise, declare pursuant to 28 U.S.C. § 1746 that:

1. I am an associate with the law firm of Frommer Lawrence & Haug LLP located at 745 Fifth Avenue, New York, New York 10151 and am counsel to Par Pharmaceutical, Inc. and Par Pharmaceutical Companies, Inc., (jointly "Par") in this action.

2. I make the following declaration in support of Defendants' Motion to Compel Production of Certain Discovery and Amend Scheduling Order.

3. Exhibit A is a true and correct copy of a June 18, 2008 Order of the Court.

4. Exhibit B is a true and correct copy of a June 12, 2008 email from Steven J. Fineman to the Honorable Joseph J. Farnan, Jr. without attachment.

5. Exhibit C is a true and correct copy of a June 13, 2008 email from Deborah L. Krett to Steven J. Fineman without attachment.

6. Exhibit D is a true and correct copy of a May 23, 2008 email from Padmaja Chinta to Robert Colletti.

7. Exhibit E is a true and correct copy of a July 1, 2008 letter from Angus Chen to Thomas A. Wang.

REDACTED

9. Exhibit G is a true and correct copy of a June 3, 2008 email from Robert J. Goldman to Robert Colletti.

REDACTED

13. Exhibit K is a true and correct copy of a calendar from February 2008 through June 2008 illustrating the recall of documents and the dates of depositions.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 3, 2008



Jonathan R. Wise

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

CERTIFICATE OF SERVICE

I hereby certify that on August 22, 2008, I electronically filed the foregoing document with the Clerk of Court using CM/ECF which will send notification of such filing(s) and Hand Delivered to the following:

Jack B. Blumenfeld, Esquire
Rodger D. Smith II, Esquire
Morris, Nichols, Arsht & Tunnell LLP
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899-1347

Richard D. Kirk, Esquire
The Bayard Firm
222 Delaware Avenue, Suite 900
P.O. Box 25130
Wilmington, DE 19899-5130

Mary W. Bourke, Esquire
Conolly Bove Lodge & Hutz LLP
The Nemours Building
1007 North Orange Street
P.O. Box 2207
Wilmington, DE 19899

I hereby certify that on August 22, 2008, I have sent by Electronic Mail, the foregoing document to the following non-registered participants:

Robert J. Goldman, Esquire
Ropes & Gray LLP
525 University Avenue
Suite 300
Palo Alto, California 94310

Richard A. Inz
Sona De
Ropes & Gray LLP
1211 Avenue of the Americas
New York, New York 10036



Steven J. Fineman (#4025)
Richards, Layton & Finger, P.A.
One Rodney Square
P.O. Box 551
Wilmington, Delaware 19899
(302) 651-7700
fineman@rlf.com

EXHIBIT A

Colletti, Robert

From: ded_nefreply@ded.uscourts.gov
Sent: Wednesday, June 18, 2008 8:01 AM
To: ded_ecf@ded.uscourts.gov
Subject: Activity In Case 1:07-cv-00255-JJF Purdue Pharma Products LP et al v. Par Pharmaceuticals Inc. et al Oral Order

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

District of Delaware

Notice of Electronic Filing

The following transaction was entered on 6/18/2008 at 8:00 AM EDT and filed on 6/18/2008

Case Name: Purdue Pharma Products LP et al v. Par Pharmaceuticals Inc. et al

Case Number: 1:07-cv-255

Filer:

Document Number: No document attached

Docket Text:

ORAL ORDER regarding D.I. [156] SEALED MOTION TO AMEND SCHEDULING ORDER TO EXTEND DEADLINE FOR EXPERT REPORTS AND FACT DISCOVERY - FILED UNDER SEAL by Par Pharmaceuticals Inc., Par Pharmaceutical Companies Inc. The request to extend expert reports deadline until June 20, 2008 is GRANTED. All other dates remain. Ordered by Judge Joseph J. Farnan, Jr. on 6/17/2008. (dlk)

1:07-cv-255 Notice has been electronically mailed to:

Mary W. Bourke mbourke@cblh.com, dhallowell@cblh.com, dkt@cblh.com

Richard D. Kirk bankserve@bayardlaw.com, rkirk@bayardlaw.com

James S. Green jgreen@svglaw.com, spappa@svglaw.com

Rodger Dallery Smith, II rdsefiling@mnat.com

Steven J. Fineman fineman@rlf.com, cathers@rlf.com

7/1/2008

Edgar H. Haug ehau@flhlaw.com

Robert E. Colletti rcolletti@flhlaw.com

Aaron F. Barkoff barkoff@mbhb.com

1:07-cv-255 Notice has been delivered by other means to:

7/1/2008

EXHIBIT B

Fineman, Steven

From: Fineman, Steven
Sent: Thursday, June 12, 2008 5:12 PM
To: 'jjf_civil@ded.uscourts.gov'
Cc: 'jblumenfeld@mnat.com'; 'rsmith@mnat.com'; 'mbourke@cblh.com'; 'rkirk@bayardfirm.com'; 'tully@mbhb.com'; 'robert.goldman@ropesgray.com'; 'richard.inz@ropesgray.com'; 'sona.de@ropesgray.com'; 'rcolletti@ropesgray.com'; 'achen@filhlaw.com'; Cottrell, Frederick
Subject: Purdue et al v. Par
Attachments: NoticeofMotion.pdf

Dear Judge Farnan:

I write on behalf of Par Pharmaceutical, Inc. and Par Pharmaceutical Companies, Inc. ("Par") in connection with the Motion to Compel Production of Certain Discovery and Amend Scheduling Order (the "Motion") filed today. Par has noticed the Motion to be heard on July 11, 2008 -- the Court's next available motion day. Attached please find a copy of the notice of motion. For the reasons set forth in the opening brief in support of the Motion, however, Par requests a brief teleconference with the Court at the Court's earliest convenience to address one issue -- Par's request that the deadline for the exchange of expert reports be extended. The teleconference is necessary because the present deadline is June 20, 2008, and the Motion will not be heard until after the deadline has passed. If Your Honor should have any questions, undersigned counsel remains available at the Court's convenience.

Respectfully,

Steven J. Fineman (#4025)

7/3/2008

EXHIBIT C

Fineman, Steven

From: Deborah_Krett@ded.uscourts.gov on behalf of jjf_civil@ded.uscourts.gov
Sent: Friday, June 13, 2008 9:15 AM
To: Fineman, Steven
Cc: achen@fhlaw.com; Cottrell, Frederick; jblumenfeld@mnat.com; jjf_civil@ded.uscourts.gov; mbourke@cblh.com; rcolletti@ropesgray.com; richard.inz@ropesgray.com; rkirk@bayardfirm.com; robert.goldman@ropesgray.com; rsmith@mnat.com; sona.de@ropesgray.com; tully@mbhb.com
Subject: Re: Purdue et al v. Par
Attachments: NoticeofMotion.pdf

Dear Mr. Fineman,

Please formalize your request in writing regarding expert reports and e-file it today. The Response will be due by Monday, June 16. The Court will review the written submissions and have a decision by June 17, 2008.

Thank you,

Deborah L. Krett
Case Manager for
The Honorable Joseph J. Farnan, Jr.
United States District Court
District of Delaware
(302) 573-6168

"Fineman, Steven" <Fineman@RLF.com>

06/12/2008 05:12 PM

To jjf_civil@ded.uscourts.gov
cc jblumenfeld@mnat.com, rsmith@mnat.com, mbourke@cblh.com, rkirk@bayardfirm.com, tully@mbhb.com, robert.goldman@ropesgray.com, richard.inz@ropesgray.com, sona.de@ropesgray.com, rcolletti@ropesgray.com, achen@fhlaw.com, "Cottrell, Frederick" <Cottrell@RLF.com>
Subject Purdue et al v. Par

Dear Judge Farnan:

I write on behalf of Par Pharmaceutical, Inc. and Par Pharmaceutical Companies, Inc. ("Par") in connection with the Motion to Compel Production of Certain Discovery and Amend Scheduling Order (the "Motion") filed today. Par has noticed the Motion to be heard on July 11, 2008 -- the Court's next available motion day. Attached please find a copy of the notice of motion. For the reasons set forth in the opening brief in support of the Motion, however, Par requests a brief teleconference with the Court at the Court's earliest convenience to address one issue -- Par's request that the deadline for the exchange of expert reports be extended. The teleconference is necessary because the present deadline is June 20, 2008, and the Motion will not be heard until after the deadline has passed. If Your Honor should have any questions, undersigned counsel remains available at the Court's convenience.

Respectfully,

Steven J. Fineman (#4025)

7/3/2008

Richards, Layton and Finger, P.A. is not providing any advice with respect to any federal tax issue in connection with this matter.

The information contained in this e-mail message is intended only for the use of the individual or entity named above and may be privileged and/or confidential. If the reader of this message is not the intended recipient, you are hereby notified that any unauthorized dissemination, distribution or copying of this communication is strictly prohibited by law. If you have received this communication in error, please immediately notify us by return e-mail or telephone (302-651-7700) and destroy the original message. Thank you.

7/3/2008

EXHIBIT D

Communications Litigation

From: Colletti, Robert
Sent: Friday, May 23, 2008 5:54 PM
To: Communications Litigation
Subject: FW: Purdue v. Par (540572-521)

-----Original Message-----

From: Chinta, Padmaja [mailto:Padmaja.Chinta@ropesgray.com]
Sent: Friday, May 23, 2008 5:36 PM
To: Colletti, Robert
Cc: Goldman, Robert J.; Smith, Rodger; mbourke@cblh.com; Christopher E. Jeffers; rkirk@bayardfirm.com;
Cottrell, Frederick; Fineman, Steven; Haug, Ed
Subject: RE: Purdue v. Par (540572-521)

Rob:

I write in response to your May 22 email regarding Dr. Prater's deposition.

With respect to originals of the five specified lab notebooks that you request, we are trying to make them available at the deposition. Napp's standard practice does not allow the originals to be taken outside of Napp premises. Nonetheless, we are trying to see if an exception can be made. We will let you know once we find out if they can be made available.

As we have explained previously, Napp disagrees that a subject matter waiver has occurred with respect to Napp's consideration of the Merck/Bondi reference in connection with foreign patent office proceedings or foreign patent litigation. Nevertheless, in the context of reviewing the documents that we have already agreed to produce, we have identified a small number of additional documents that may be relevant and, accordingly, Napp will produce them.

In addition, although we believe that we have already given you legible copies available of Dr. Prater's formulation notebooks, we will produce those notebook pages for a second time. Finally, we are trying to obtain a copy of Dr. Prater's thesis. After we review it, we will determine whether it is relevant to the issues in this action and, if so, we will produce it.

Bob Goldman will be writing to you about the scheduling issues raised in your e-mail.

Regards
Paddy

From: Colletti, Robert [mailto:RColletti@flhlaw.com]
Sent: Thu 5/22/2008 2:34 PM
To: Chinta, Padmaja
Cc: Goldman, Robert J.; Smith, Rodger; mbourke@cblh.com; Christopher E. Jeffers; rkirk@bayardfirm.com;
Cottrell, Frederick; Fineman, Steven; Haug, Ed
Subject: Purdue v. Par (540572-521)

Paddy,

I am writing with regard to Dr. Prater's upcoming continued deposition scheduled for May 29 in our NY office and various other currently unscheduled depositions of Purdue and Napp witnesses.

Regarding the Prater deposition, as previously requested please ensure that the original formulation notebooks (Nos. 474, 523, 573, 616 and 644) are brought to the deposition. Moreover, we await production of the raw data supporting Napp's repeat of Example 1 from the Merck reference. As you know, the results of Napp's repeat experiment fall within the dissolution rates claimed in the '887 patent. This is obviously evidence of the utmost importance and it should have been produced long ago. This raw data was attached to the report of John Tasker Fell in the Napp v. Asta Medica UK litigation but Napp has failed to produce it despite our multiple requests.

Your previous correspondence indicated that besides unredacting the formulation notebooks, Napp was reviewing its document production to determine if other documents had inappropriately been redacted in view of the waiver that resulted from the submission of Dr. Malkowska's declaration in the European opposition and the U.S. prosecution of the '887 and '430 patents. Please let us know if any additional documents have been unredacted. There has been a subject matter waiver and any testing performed by Napp regarding the Merck reference should be produced and/or unredacted. It is improper and quite frankly fundamentally unfair to use favorable test results as a sword and then hide behind a privilege shield and refuse to disclose unfavorable test results.

We previously requested that Napp reproduce all its formulation notebooks because they were illegible. Despite reproducing the five above-listed formulation notebooks Napp has maintained that the original notebook are legible. If it turns out that we use other notebooks, which Napp did not reproduce and Dr. Prater is unable to read the notebooks because they are illegible, we will not be able to complete the deposition.

We still await production of Dr. Prater's Ph.D dissertation. For reasons previously explained, the dissertation is relevant. Please produce it in advance of the deposition.

Regarding unscheduled depositions, as you know we will be in London for Dr. Malkowska's deposition on June 3. Given that we are traveling to London that week we expect that Purdue will also provide dates that week for the Miller and Leslie depositions. We have also noticed Mr. Cowcher and expect his deposition will go forward in London that week. If the Miller, Leslie, and Cowcher depositions cannot proceed the week of June 3, the witnesses should be made available in New York. With regard to Drs. Miller and Leslie, Napp represented over six months ago that it would make these key inventors available. Napp's failure to produce the witnesses will leave us no choice but to approach the Court. Please provide dates as soon as possible so we can finalize our travel arrangements.

Sincerely,
Rob

Robert E. Colletti
FROMMER LAWRENCE & HAUG LLP
745 Fifth Avenue
New York, New York 10151
tel. (212) 588-0800
fax. (212) 588-0500
rcolletti@flhlaw.com

=====

This message originates from the law firm of Frommer Lawrence and Haug LLP. It contains information that may be confidential or privileged and is intended only for the individual or entity named above. No one else may disclose, copy, distribute, or use the contents of this message. Unauthorized use, dissemination, and duplication is strictly prohibited, and may be unlawful. All personal messages express views solely of the sender, which are not to be attributed to Frommer Lawrence and Haug LLP, and may not be copied or distributed without this disclaimer. If you receive this message in error, please notify us immediately at firm@flhlaw.com or call (212) 588-0800.

Padmaja Chinta
ROPES & GRAY LLP
T 212-596-9477 | F 646-728-2942
1211 Avenue of the Americas
New York, NY 10036-8704
padmaja.chinta@ropesgray.com
www.ropesgray.com

Circular 230 Disclosure (R&G): To ensure compliance with Treasury Department regulations, we inform you that any U.S. tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of avoiding U.S. tax-related penalties or promoting, marketing or recommending to another party any tax-related matters addressed herein.

This message (including attachments) is privileged and confidential. If you are not the intended recipient, please delete it without further distribution and reply to the sender that you have received the message in error.

EXHIBIT E



New York
745 Fifth Avenue
New York, NY 10151
Telephone: (212) 588-0800
Fax: (212) 588-0500

www.flhlaw.com
Washington, DC
Tokyo

July 1, 2008

Angus Chen
achen@flhlaw.com

VIA ELECTRONIC MAIL

Thomas A. Wang, Esq.
Ropes & Gray LLP
525 University Avenue
Suite 300
Palo Alto, CA 94301-1917

Re: Purdue et al. v. Par Pharmaceutical et al.

Dear Tom:

This letter is in response to your letter yesterday producing documents. Apparently, Purdue is unable to locate documents that are highly relevant to the issues in this case. Notably, Purdue is unable to locate the following documents or things:

REDACTED

Thomas A. Wang, Esq.
July 1, 2008
Page 2 of 2

REDACTED

To the extent that these documents and things cannot be located, the inference is that they were intentionally destroyed. Please describe Purdue's efforts to locate these documents. If the documents were destroyed, please let us know the details of the destruction.

REDACTED

Finally, several of the documents now produced that were previously withheld from the DDK production contain redactions. Given the subject matter waiver regarding experiments concerning the Merck reference, please explain whether these redactions are based on relevance or privilege. To the extent that the redactions are based on privilege, please produce unredacted copies.

Sincerely,



Angus Chen

cc: Robert J. Goldman, Esq. (via e-mail)
Mary W. Bourke (via e-mail)
Richard D. Kirk (via e-mail)
Paul S. Tully, Ph.D., Esq. (via e-mail)
Frederick L. Cottrell, Esq. (via e-mail)

EXHIBIT F

ENTIRE DOCUMENT REDACTED

EXHIBIT G

Communications Litigation

From: Colletti, Robert
Sent: Wednesday, June 04, 2008 1:45 AM
To: Chen, Angus; Haug, Kyle; Communications Litigation
Subject: Fw: Purdue v. Par; Deposition scheduling

-----Original Message-----

From: Goldman, Robert J. <Robert.Goldman@ropesgray.com>
To: Colletti, Robert <RColletti@fhlh.com>
CC: Mary W. Bourke <MBourke@cblh.com>; rkirk@bayardfirm.com <rkirk@bayardfirm.com>; Tully, Paul <tully@mbhb.com>; barkoff@mbhb.com <barkoff@mbhb.com>; jblumenfeld@mnat.com <jblumenfeld@mnat.com>
Sent: Tue Jun 03 20:58:05 2008
Subject: Purdue v. Par; Deposition scheduling

Rob:

On Friday May 30, I received service of a notice of the deposition of Adrian Brown. The notice is objectionable because it is was served less than seven days before the June 5 cut-off of fact discovery. See Local Rule 30.1. In all events, Mr. Brown is former employee of Napp, not subject to Napp's control.

With respect to the deposition notice of Shelly Capurso, which we received on May 27, Dr. Capurso is a former employee of Purdue, and is not subject to Purdue's control. If Par has already served a subpoena for her deposition testimony, please let me know whether you have received a response, and send me a copy of the subpoena. If Par serves a subpoena Dr. Capurso's testimony for a date after the cut-off of fact discovery, Purdue will move to quash the subpoena as untimely.

With respect to the deposition of Dr. Miller, which we have been trying to arrange for some time, I can propose a date of July 8. You had asked to do the deposition in Cambridge. Dr. Miller would prefer London, as would we. Let me know if we can agree on that date and place, so I can confirm with Dr. Miller promptly.

Finally, with respect to the remaining topics on Par's Rule 30(b)(6) notice to Purdue, topics 8, 9 and 12, Purdue will designate Phillip Strassburger as its corporate witness. Mr. Strassburger is currently available for that deposition, in New York, on June 10 or 11. Let me know which of those dates works for Par.

Regards,

Bob

Circular 230 Disclosure (R&G): To ensure compliance with Treasury Department regulations, we inform you that any U.S. tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of avoiding U.S. tax-related penalties or promoting, marketing or recommending to another party any tax-related matters addressed herein.

This message (including attachments) is privileged and confidential. If you are not the intended recipient, please delete it without further distribution and reply to the sender that you have received the message in error.

EXHIBIT H

ENTIRE DOCUMENT REDACTED

EXHIBIT I

ENTIRE DOCUMENT REDACTED

EXHIBIT J

ENTIRE DOCUMENT REDACTED

EXHIBIT K

February

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15 Inadvertent Production Letter	16
17	18	19 Inadvertent Production Letter	20	21	22	23
24	25	26	27	28	29	

2008

March

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						1
2	3	4	5 Davidson Deposition (Purdue/Napp Attorney.)	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

2008

April

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		1 Additional Production	2 Inadvertent Production Letter	3 Kaifu Deposition (Purdue)	4	5
6	7	8	9	10 Inadvertent Production Letter Additional Production	11 Inadvertent Production Letter	12 Inadvertent Production Letter
13	14	15 Inadvertent Production Letter	16 Oshack Deposition (Purdue)	17	18	19
20	21	22 Inadvertent Production Letter Additional Production	23	24 Inadvertent Production Letter	25 Smith Deposition in London (Napp) Inadvertent Production Letter	26 Prater Deposition in London (Napp)
27	28 Additional Production	29 Winkler Deposition in Frankfurt (Napp) Hahn Deposition in Frankfurt (Napp) Inadvertent Production Letter	30 Winkler Deposition in Frankfurt (Napp)			

2008

May

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
				1 Wimmer Deposition in Frankfurt (Napp) Additional Production	2	3
4	5	6	7 Paradise Deposition (Purdue/Napp Attorney.)	8	9 Inadvertent Production Letter Additional Production	10
11	12 Inadvertent Production Letter	13 Davidson Deposition (Purdue/Napp Attorney.) Inadvertent Production Letter	14 Bashforth Deposition (Napp) Additional Production	15 Milnes Deposition (Napp)	16	17
18	19	20 Desiraju Deposition (Ortho-McNeil)	21	22 Inadvertent Production Letter Additional Production	23 Strassburger Deposition (Purdue)	24
25	26 MEMORIAL DAY	27 Additional Production	28	29 Prater Deposition (Napp)	30 Innaurato Deposition (Purdue) Additional Production	31 Inadvertent Production Letter

2008

June

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
1	2 Inadvertent Production Letter	3 Malikowska Deposition in London (Napp)	4 Prater Deposition in London (Napp)	5 Cowcher Deposition in London (Napp) Additional Production	6	7
8	9	10	11	12	13	14
15	16	17	18 30 (b)(6) Deposition (Ortho-McNeil)	19 30 (b)(6) Deposition (Ortho-McNeil)	20	21
22	23	24	25	26	27	28
29	30					

2008

July

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		1	2	3	4	5
6	7	8 Leslie Deposition in London (Napp)	9	10 Miller Deposition in London (Napp)	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25 Kreppner Deposition (Biovail)	26
27	28	29	30	31		

2008

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

CERTIFICATE OF SERVICE

I hereby certify that on July 3, 2008, I electronically filed the foregoing document with the Clerk of Court using CM/ECF which will send notification of such filing(s) and Hand Delivered to the following:

Jack B. Blumenfeld, Esquire
Rodger D. Smith II, Esquire
Morris, Nichols, Arsht & Tunnell LLP
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899-1347


Richard D. Kirk, Esquire
The Bayard Firm
222 Delaware Avenue, Suite 900
P.O. Box 25130
Wilmington, DE 19899-5130

Mary W. Bourke, Esquire
Conolly Bove Lodge & Hutz LLP
The Nemours Building
1007 North Orange Street
P.O. Box 2207
Wilmington, DE 19899

I hereby certify that on July 3, 2008, I have sent by Electronic Mail, the foregoing document to the following non-registered participants:

Robert J. Goldman, Esquire
Ropes & Gray LLP
525 University Avenue
Suite 300
Palo Alto, California 94310

Richard A. Inz
Sona De
Ropes & Gray LLP
1211 Avenue of the Americas
New York, New York 10036


Steven J. Fineman (#4025)
Richards, Layton & Finger, P.A.
One Rodney Square
P.O. Box 551
Wilmington, Delaware 19899
(302) 651-7700
fineman@rlf.com